

PROTECTION OF MIGRATORY BIRDS AND GAME MAMMALS

Convention signed at México February 7, 1936

Senate advice and consent to ratification April 30, 1936

Ratified by the President of the United States October 8, 1936

Ratified by Mexico February 12, 1937

Ratifications exchanged at Washington March 15, 1937

Entered into force March 15, 1937

Proclaimed by the President of the United States March 15, 1937

50 Stat. 1311; Treaty Series 912

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES FOR THE PROTECTION OF MIGRATORY BIRDS AND GAME MAMMALS

Whereas, some of the birds denominated migratory, in their movements cross the United States of America and the United Mexican States, in which countries they live temporarily;

Whereas it is right and proper to protect the said migratory birds, whatever may be their origin, in the United States of America and the United Mexican States, in order that the species may not be exterminated;

Whereas, for this purpose it is necessary to employ adequate measures which will permit a rational utilization of migratory birds for the purposes of sport as well as for food, commerce and industry;

The Governments of the two countries have agreed to conclude a Convention which will satisfy the above mentioned need and to that end have appointed as their respective plenipotentiaries: The Honorable Josephus Daniels representing the President of the United States of America, Franklin D. Roosevelt and the Honorable Eduardo Hay, representing the President of the United Mexican States, General Lázaro Cárdenas, who, having exhibited to each other and found satisfactory their respective full powers, conclude the following Convention:

ARTICLE I

In order that the species may not be exterminated, the high contracting parties declare that it is right and proper to protect birds denominated as migratory, whatever may be their origin, which in their movements live

temporarily in the United States of America and the United Mexican States, by means of adequate methods which will permit, in so far as the respective high contracting parties may see fit, the utilization of said birds rationally for purposes of sport, food, commerce and industry.

ARTICLE II

The high contracting parties agree to establish laws, regulations and provisions to satisfy the need set forth in the preceding Article, including:

A) The establishment of close seasons, which will prohibit in certain periods of the year the taking of migratory birds, their nests or eggs, as well as their transportation or sale, alive or dead, their products or parts, except when proceeding, with appropriate authorization, from private game farms or when used for scientific purposes, for propagation or for museums.

B) The establishment of refuge zones in which the taking of such birds will be prohibited.

C) The limitation of their hunting to four months in each year, as a maximum, under permits issued by the respective authorities in each case.

D) The establishment of a close season for wild ducks from the tenth of March to the first of September.

E) The prohibition of the killing of migratory insectivorous birds, except when they become injurious to agriculture and constitute plagues, as well as when they come from reserves or game farms: provided however that such birds may be captured alive and used in conformity with the laws of each contracting country.

F) The prohibition of hunting from aircraft.

ARTICLE III

The high contracting parties respectively agree, in addition, not to permit the transportation over the American-Mexican border of migratory birds, dead or alive, their parts or products, without a permit of authorization provided for that purpose by the government of each country, with the understanding that in the case that the said birds, their parts or products are transported from one country to the other without the stipulated authorization, they will be considered as contraband and treated accordingly.

ARTICLE IV

The high contracting parties declare that for the purposes of the present Convention the following birds shall be considered migratory:

MIGRATORY GAME BIRDS

Familia Anatidae
Familia Gruidae
Familia Rallidae
Familia Charadriidae

Familia Scolopacidae
Familia Recurvirostridae
Familia Phalaropodidae
Familia Columbidae

MIGRATORY NON-GAME BIRDS

Familia Cuculidae	Familia Mimidae
Familia Caprimulgidae	Familia Sylviidae
Familia Micropodidae	Familia Motacillidae
Familia Trochilidae	Familia Bombycillidae
Familia Picidae	Familia Ptiligonatidae
Familia Tyrannidae	Familia Laniidae
Familia Alaudidae	Familia Vireonidae
Familia Hirundinidae	Familia Compsothlypidae
Familia Paridae	Familia Icteridae
Familia Certhiidae	Familia Thraupidae
Familia Troglodytidae	Familia Fringillidae
Familia Turdidae	

Others which the Presidents of the United States of America and the United Mexican States may determine by common agreement.

ARTICLE V

The high contracting parties agree to apply the stipulations set forth in Article III with respect to the game mammals which live in their respective countries.

ARTICLE VI

This Convention shall be ratified by the high contracting parties in accordance with their constitutional methods and shall remain in force for fifteen years and shall be understood to be extended from year to year if the high contracting parties have not indicated twelve months in advance their intention to terminate it.

The respective plenipotentiaries sign the present Convention in duplicate in English and Spanish, affixing thereto their respective seals, in the City of Mexico, the seventh day of February of 1936.

JOSEPHUS DANIELS [SEAL]

EDUARDO HAY [SEAL]